

issue that can be addressed and thought over as time goes on while more important matters that are hurting this country are addressed. He said very similar things to what we were saying, issues such as health care, immigration and energy are problems that face Americans now, not 30 years down the road.

I am happy to see that you are willing to stand up for the people rather than special interest groups that have too much control in Congress these days. Please keep up your hard work because it is needed.

People like you keep his personal hopes alive for one day standing on the floor of the House of Representatives and debating issues and problems that face our country. So we have an aspiring Member of Congress here, Mark Sanchez. So thank you, Mark, for sending that in.

Again, 30somethingdems@mail.house.gov. You also go to the site I gave you earlier to check out the deficit clock too.

Mr. MEEK of Florida. I want to thank the gentleman from Ohio. And to our e-mailer, we just want to say that all Democrats throughout this Congress will be calling into radio stations, be it country, rap, rock and roll, what have you, during drive time in the morning to talk about the importance of Social Security and young people.

Mr. Speaker, it is always an honor to come to the floor and we thank not only the gentlewoman from California (Ms. PELOSI), the Democratic leader, but the gentleman from Maryland (Mr. HOYER) the Democratic whip, for allowing us to have this hour week after week. This is a strong part of our democracy, and we really appreciate representing the 30-somethings and above and under, that age, to give them a voice here on the floor.

OVERVIEW OF THE WAR ON ILLEGAL NARCOTICS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Indiana (Mr. SOUDER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SOUDER. Mr. Speaker, tonight I am going to give an overview of the war on illegal narcotics in the United States.

I chair the Subcommittee on Criminal Justice Drug Policy and Human Services in the Government Reform Committee, which when the Republicans took over Congress in 1994, was reorganized by then Chairman Bill Zeliff followed by the gentleman from Illinois (Chairman HASTERT) followed by the gentleman from Florida (Chairman MICA), and now myself, to be a committee where we could do an overview of all of the different parts of the war on illegal drugs.

The challenge we have in narcotics is that this battle goes across many dif-

ferent agencies, and so it gets divided up somewhere in the neighborhood of 23 to 25 subcommittees in the House, a similar amount in the Senate, and nobody had been looking at it comprehensively.

So it wound up over in this committee. The authorizing of the Office of National Drug Control Policy, commonly known as the Drug Czar's office, is not only overseen now by this subcommittee, but actually is now authorized as primary authorizer in this subcommittee as well, which has led to the national ad campaign being added to that, the Community Antidrug Coalition, the High Intensity Drug Trafficking Areas, and increasingly some of the other bills are being assigned to this committee because we can look at it holistically, and then it also gets sometimes joint referrals to other committees as we are working through similarly on the homeland security bill, as people have been watching through this.

There is a couple of different points that I am going to cover tonight. One is kind of basically how we approach illegal drugs and how we are tackling this as a Congress, as a Presidency, and how this has evolved.

Secondly, looking at some of the successes, then focusing some on the major challenges we have ranging from the meth challenge to the border challenge, which has been getting a lot of news, to Afghanistan, to the abuse of legal drugs like steroids. We have been having hearings in our full committee in Government Reform.

Then some specific comments in detail on the President's which we have many concerns about, particularly his effort to, in effect, change many of the effective local programs, and nationalize them in Washington, and potentially gut the drug war of the United States.

And I am hoping Members of Congress and their staffs are watching tonight, because this is a direct-on challenge that could, in fact, undermine everything we have been doing.

□ 1930

It needs a resounding defeat in this appropriations process so we do not have to fight this every year. A decisive win this year and a turning around and saying we are not abandoning State and local law enforcement and nationalizing everything in Washington is extremely critical in our drug war.

Let me first start out with kind of a philosophy because often when we come to the floor of Congress, you hear bits and pieces about what we are doing in the drug war, but you do not see a holistic picture with this.

So if you look at this as a start, the first role is not to have people use illegal narcotics. So we will start with safe and drug-free schools, trying to get to our schoolkids. We have community anti-drug coalitions to pull together communities in the United States to do these efforts.

We have the national ad campaign, that you see the ads focused on marijuana; and then in conjunction with the direct national ad campaign, the in-kind contributions that work through a multiplicity of organizations, but particularly the Drug-Free America coalition that has used the best advertising agencies in the United States to develop ads, which those of us who all too well remember, this is your brain, this is your brain on drugs, looking at the fried egg.

But the Partnership for a Drug-Free America has come up with many different creative ads that supplement the national ad campaign. It is a massive effort to try to battle everything from the jokes on the Tonight Show about our use of marijuana, to movies, to MTV, to all that type of stuff to make sure that we have a consistent national message out there.

Then we have drug testing, because one of the best ways to do prevention is to drug test people. I have a company in my district that they were told they had a problem. They drug tested their company and find out a third of the people were high on the spot of cocaine, meth, and this high-grade marijuana. Now, they immediately fired them, that they were in clear violation of a company policy, but one-third of their employees. Another similar thing in another county they did, and I think it was closer to 25 percent, but it is extraordinary.

Remember, these are not hair follicle tests. These are urine tests, which means it has to be fairly recent. A hair follicle test, you may be able to find drug use 30 days previous. Urine test means you are basically high on the job, running this equipment and doing this kind of stuff. So drug testing, if you know you are going to lose your job if you are drug tested, that is one of the best prevention programs; but those are some of the highlights of the prevention strategy, the national ad campaign, Partnership for a Drug-Free America, the community coalition, drug-free schools and drug testing.

Then you go, okay, if this stuff's too cheap or too pure, basically it overwhelms the prevention policy. So what do we do? First, we try to get this stuff, get the illegal narcotics at its source.

So let us take cocaine and heroin in Colombia. First, you try to eradicate it. You go there, spray the stuff, hit it multiple times a year. If you fail and some gets out, which it always does, then you try to interdict it in the source country and get it before it hits the shores of the Caribbean or the eastern Pacific. Once it gets in the water, now we are dealing rather than in an area maybe the size of Texas, we are dealing in an area that is huge, the Caribbean Sea and the eastern Pacific. So it is much harder to get it.

If it gets to our border, in our land border, in Mexico, the Gulf of Mexico, Florida, comes up farther into California or up into New York City or

comes down through Canada, then we now have a border control effort; but as I will point out later, and as most people are aware, our border is not exactly sealed.

Then if it gets through our border, then we move to the law enforcement question. I am from Fort Wayne, Indiana. Now it is starting to get closer to home. We failed to get it eradicated. We failed to interdict it in Colombia. We failed to get it as it moved into the transit zone. We failed to get it at the border. Now it is coming at our hometown.

Now we will have drug task forces. We will have high-intensity drug trafficking areas. We will have Burn grant money going to set up drug task forces. We will have our local police forces. We will have our county and district-wide, in some cases, drug task forces trying to do the law enforcement side.

Then people go to prison, and so we have prison re-entry programs trying to say, okay, we have locked these people up for drug crimes, how do we treat them in prison, how do we work with them as they are coming out of prison. We have drug court programs. That is kind of the law enforcement side.

Then we have the drug treatment. When all else fails, we do drug treatment. Quite frankly, as Nancy Reagan, you can never win a war just treating the wounded. That is in effect saying everything else has failed. Drug treatment is really hard. I and others have very seldom ever met a drug addict who has not been through seven treatment programs. The programs themselves are expensive. They are hard to maintain. Just think of the things you struggle with in life, and classic is everybody tries to do a diet starting on New Year's Day, and by the third or fourth day, they have already failed some.

If somebody has a real addiction problem, without a huge head change, it is a constant battle and they fall back and they fall back. Treatment cannot win the war on drugs, but treatment is a part of the effort to try to rehab those people who get mired in it, and we as a society need to help them.

So if you look at that, we are trying to prevent; then we try to eradicate and interdict; then we try to enforce the law; then we try a drug treatment when all else fails and try to help the poor souls who got addicted.

What are our success stories? The fact is this President made a goal to the Office of National Drug Control Policy that said we want a 5 percent reduction in drug use in the United States every year. There is only way to achieve it: it is marijuana.

Marijuana is the gateway to all other drug use. Yes, alcohol and tobacco for young people because it is also illegal. It is often the gateway to marijuana, but basically if you want to tackle the meth problem in the United States, you tackle the marijuana problem. If you want to tackle the cocaine problem in the United States, you tackle

the marijuana problem. If you want to tackle the heroin problem in the United States, you tackle the marijuana problem. If you want to tackle Oxycontin abuse, you tackle the marijuana problem.

When you tackle the marijuana problem and move that number, you move all the others. Maybe only one in 10, one in six, I do not know the precise number, it varies year to year or two and by age category, will ever move to another drug, but the fact is if you lower the number of people using marijuana, you lower the number of people using everything else more effectively than tackling those drugs in many cases. Marijuana is the gateway drug.

The marijuana we are talking about in the United States is not what used to be called in Indiana "ditch weed." It is not the Cheech and Chong stuff. It is not 4 to 6 percent THC content, which is bad enough; it is problematic. If you do not really want somebody coming down at you drunk, well you definitely do not want them coming at you on the highway high, but that is high. It is like being drunk.

But when you get this marijuana that is coming in from Canada, that increasingly is being sold on the Internet so people can do hydroponic marijuana, you are talking 12, 20 percent, some cases even 30 percent, selling as high as cocaine and heroin. Why? Because it wipes you out like meth.

This so-called medicinal marijuana has unfortunately been implying that marijuana's medicinal rather than that there are components in marijuana that we isolate like marinol that we should try to put in pill form and help people who cannot do other things, but marijuana is not medicinal. Marijuana is terribly addictive. It is the number one reason people are in drug treatment. It is the number one law enforcement problem in narcotics and is number one gateway. So you have got to tackle marijuana.

We have made progress. The reason we have had 5 percent reductions steadily for 3 years now is because we have tackled marijuana.

Let me put this in perspective, and this a frightening statistic because some people tell me, oh, you know, why can you not just win the war on drugs; how come we have to spend more money every year? Why does this not go away? Politicians love to say, okay, I voted for this appropriations bill, I passed this appropriations bill, it got implemented, now the problem is fixed, now let us focus on something else.

I, as a Christian, believe the source problem is sin. You do not get rid of sin. There is nothing in the Bible that suggests sin is going to disappear. If you want to call it something else that is a struggle when you start to get addicted to an illegal substance, fine, call it that; but it is basically do not ask me why we cannot get rid of drug use in the United States and not ask the same question about rape, spouse abuse

and child abuse and other things we struggle with. We never get rid of them.

What we do is we try to control them the best we can, to contain it the best we can, to reduce the number of people who do it, but every day somebody wakes up in the morning and all of the sudden hits their kid or rapes somebody or in a crime of passion kills somebody. It does not go away. That is why we have police forces. That is why we can never back off of the narcotics thing.

But when we back off, this is what we know: in 1993 and 1994, we had a disastrous policy under a previous President who now realizes, and at the end of his term changed around totally, but at the beginning of his term, it was a disaster. They cut the drug czar's office from 123 people down to about 23. They cut the interdiction budget. They closed down a lot of the radar systems in the transit zone; and what happened in that period and then on top of that laughed about, I did not inhale, and did not have these aggressive anti-drug drug testing programs and things on the national media.

What happened from 1992 to 1994, drug use in the United States went up so much that we have to have a 50 percent reduction from 1995 to get back to 1995. So the fact that we are getting 5 percent a year is not enough. It means we are 15 percent back to where we were at in 1995, but we have a long way to go to even get back to 1995.

I have got to say this: people laugh at "just say no" under Nancy Reagan. It worked and it worked because it was not "just say no." "The just say no" was the symbol, just say no. They started the national ads, the Partnership for a Drug-Free America. They started the safe and drug-free schools program. We created and got more aggressive in DEA. "Just say no" was the signature. But when we went at it, we had drops from 1981 to 1988. From 1988 to 1992, we had a little up and down, and then the collapse; and we are trying to get back to where we were.

This administration, however, deserves credit. For every single year we have had a reduction, and someday maybe we will get back to where the previous President was; and quite frankly, in the last 2 years of the previous Presidency, former President Clinton did a great job of focusing with drug czar Barry McCaffrey. We made progress in those last 2 years. It was turned around, and they realized their mistake; and they changed it around.

Then, quite frankly, George Bush, our current President, got off to a difficult start because he wanted to take the drug czar office down from a Cabinet-level position. We battled that, but we have made progress for the last 3 years.

After 9/11, we saw some changes in how the drug budget was allocated, but because we were screening more things and so on, we have been getting more narcotics. Because of better intelligence, however, we are seeing more of

what we are missing; but in fact, we are seizing more narcotics.

We have made steady progress in Colombia. Just a few years ago, only about a third of the cities in Colombia had anybody who wanted to be a mayor. It is not how we have primaries in the United States and we have lots of people running for office in the United States. I have run now six times. I have had five primaries and six general elections with plenty of people wanting to run again the next time. It does not matter that I have big margins. They all want to run for Congress.

They do not have that problem in Colombia because in the United States you do not get shot. Your odds are maybe once every 50 years a President gets shot at. We do not have too many candidates for Congress getting shot and murdered and assassinated. We do not have too many mayors, but in Colombia it was like a death warrant to run for office. So hardly anybody was doing it because we could not control the ground. Because of the Andean Initiative and the Colombia Initiative, in particular inside that, we now have in basically every significant town in Colombia, 100 percent now, a mayor. That might seem like small progress, but it is pretty big progress.

We still have huge problems in Colombia. They have gone farther out into the national parks. They have gone into the Amazon basin, away from where it is easier to see them. It is farther for us to get the spray equipment there and the Blackhawk helicopters there. The FARC and the terrorist groups are able to run and pick their targets where, as we are trying to cover in effect and defend a bigger portion of the nation in Colombia. The fact is that it is progressing.

Secondarily, one of the fundamental questions is that it used to be about a third was in Colombia, a little more than that was in Bolivia, and another chunk of it was in Peru. The question is, was this going back to Bolivia and Peru if we made progress in Colombia, something we have to watch. But right now it does not appear to be going back. Plus, it was the growth of coca and poppy that was occurring in Bolivia and Peru, whereas in Colombia they have always been the processing dealer network.

It is close to the United States. As many people may remember, Panama used to be part of Colombia. Much of that then hops right up to Mexico and comes across the land border. Whereas if you push it farther south, and we do see problems in Paraguay and Brazil and northeast coast of South America, but the bottom line is, if we can get control of Colombia and in a sense make it a more peaceable nation, a nation that has thousands of police officers dying because of America's and Western European's addiction to cocaine and heroin, their supposed revolution is basically a narco-terrorist war funded by United States drug addicts and drug use.

So we have made some progress in Colombia, and that is good news.

We have made incremental progress in other areas, but now let me cover a couple of the challenges.

One is methamphetamines, and meth is a huge issue for us to deal with. I want to put a couple of national perspective things here because probably about from people who are watching tonight, Members and staff are watching tonight, about 35 States do not really have a meth problem. Some of those 35 actually have a little bit, but it is hardly on the radar screen.

Fifteen States, there is no other drug problem on the evening news except for meth. In my home State, if you watch the news, you would think that meth is 90 percent of the drug use, and it is not; but there are some reasons why meth is such a tough issue in the 15 or so States where it is there.

Hawaii was the first State to really have a huge meth problem. Then we saw the superlabs in California, and former Congressman Doug Ose had then-chairman, the gentleman from Florida (Mr. MICA), and I go out; and we did hearings on some of the early superlabs in California where they were producing methamphetamines.

□ 1945

These crazy people, when they get addicted to meth, they go crazy. It is much different. It is a little like crack, but it grabs ahold of your brain and you go crazy. These people would blow these things up in their houses because they would get so addicted they would not know what they were doing, and their house would blow up and kids were dying in California.

We had an unbelievable case that led to a law in California. I mean I do not know how else to say it, but some of these were idiots; their kid was cold, and to warm them up they put them in their stove and burned their kid to death because they were so disoriented. They do not have any clue what they are doing. This drug takes you over.

There was an article in People Magazine in the district of the gentleman from Arkansas (Mr. BOOZMAN) about a majority of the town that got addicted to meth. As this happens, one of the problems with meth is we do not have a lot of treatment programs that work with a meth addict. It is a huge challenge. Furthermore, if they are cooking at home, and by cooking at home, making meth at their home, the environmental damage and environmental cleanup is incredible. It is often not even safe for the police to go in.

Take Warsaw, Indiana, with Sheriff Rovenstine, who has a drug task force group, and they hear of a meth lab out in Kosciusko County, he has to send his group of four guys out there. They will often have to wait 4 to 6 hours until the Indiana State police can get there with a cleanup lab. They cannot really go into the house because they do not know how dangerous it is environmentally for them. They do not have all the equipment to do so.

So you have tied up your entire drug task force in a county of 80,000 people because of one meth lab, and he may only be cooking for himself, someone in his family, and maybe one other person. It is not like a big drug operation, but it ties up your police force. It is a tremendous cleanup problem.

Now, in Hawaii, they have had actually one or two apartment complexes where these people are starting to cook in some of the urban areas. We have not seen too much of that in the United States, maybe a little in Detroit, a little in New Orleans and starting to come in at the edges of some cities, but mostly this is a rural-small town problem so far in the United States. But they have had in some of the apartments where you have to pay from \$300 to \$600 before you rent the apartment to make sure it is cleaned. Because if somebody has cooked meth in there and now you bring children in, you can endanger your children's health because someone was cooking meth in the apartment you have now moved into. Do we really want to get in this situation around the United States?

So we are having some difficulties in how to address this, because here is the fundamental problem with meth. Meth is only 8 percent of the drug use in the United States, and it is not moving much. As it moves east and marches across the United States, the reaction in the communities is so aggressive that you start to get control and a flattening out in the State where it was, and then it moves into the next State. So as we watch it move from Kansas to Arkansas and into Missouri, into southwest Indiana, Kentucky, Tennessee, and watch it head into North Carolina right now, it starts to stabilize on the western side but expands on the eastern side. It does not mean it is solved on the western side.

And often the media coverage is delayed. So the media coverage may be highest now in some of those States when in fact their biggest problem was 2 years ago, because the community is so outraged they are starting to deal with it. Nevertheless, it does seem to be expanding nationally.

The insidious thing about this is that of this 8 percent meth, only about a third of this meth is actually from the home cooks. The biggest percentage, even in the State of Indiana, which is about sixth in the number of meth labs, and my district is second next to the district of my colleague, the gentleman from Indiana (Mr. HOSTETTLER), which is the southwestern part, even in our districts 67 percent of the meth is coming in from super labs, formerly from California but mostly from Mexico across the border.

So what happens is that meth is somewhat a little more urban and it comes in and is cheaper and more potent than the home-cooked meth. So we have a double problem here that Members of Congress are wrestling

with. One is what we are hearing from home are the meth labs, because we see the dangers of blowing up and burning houses down. They blow up their van if they get in a car accident because they are carrying anhydrous ammonia in it.

One person in one small town in my district was one and a half turns from having a huge regional anhydrous ammonia tank explode that would have obliterated everyone in that town of 700 within minutes. There would have been no ability to run, and they would have been deadlier than we would have been in this Capitol building if that plane had had C4 in it and hit the Capitol building last week. They would have been all obliterated just like that.

So as we try to tackle the meth problem, however, the fact is that while they put the pressure on the police forces, while they put the pressure on the cleanup, while they are endangering their children, they are not even the majority of the meth problem. So we have to try to figure out how to take down these larger organizations. The DEA, in a great case with the Department of Homeland Security, interdicted what looked like at that point as much as 40 to 50 percent, maybe even as high as 60 percent, of the meth precursors that were coming across the Mexican border, pseudoephedrine.

Now, I am not going to really get into debating bills right now on how to address the pseudoephedrine question, but I have some concerns about the State laws that are passing, and I think at the Federal level we need to get at it at the wholesale level rather than shut down every little small rural town that has a grocery store or every small town that has a pharmacy because they have to put this behind the counter. That is too hard. We need to address it at the wholesale level and the production level in China, in India, in the Netherlands, in Belgium, and we need to set up meth watch programs. If we have to, we will just ban pseudoephedrine in the United States, as now something like eight States have, and it is increasing every day.

The fact is, as we heard with the Oklahoma law, by banning pseudoephedrine and taking 100 cold medicines, basically, and reducing that number and putting it behind the counter, what happens is they merely go to States where you do not have that. Since 35 States do not have a meth problem, they will not be too anxious to get rid of their cold medications and put them behind a counter if they do not have a meth problem in their State. Not to mention there has been a little discussion here and there on the floor about what to do about Canadian pharmaceuticals.

Obviously, you can get pseudoephedrine the same way you can get anything else from Canada and Mexico, on line. And it is a little naive to think we are going to be able to control pseudoephedrine by closing all these grocery stores down that do not have pharmacies and making the phar-

macists put it behind the counter and reduce the amount of cold medicine. It is not going to work and, quite frankly, Oklahoma is gradually learning that. But it does not mean their heart is not in the right place and we do not have to figure out a way to address it, because meth is an incredible problem. But we will need some national solutions, and the bigger wholesale systems can do this better than a little country grocery store.

I want to move off the meth to the border, another subject that has been in the news a lot lately. I said earlier that most people are increasingly understanding that the border is not quite sealed. That is an understatement. Basically, 900,000 to a million people are crossing the border a year. Our subcommittee over the last few years has held hearings at San Ysidro, which is the San Diego corridor. We have held hearings in cells on the Tohono O'odham reservation to the west of Nogales. We have held hearings at Nogales. We had a hearing over in the Sierra Vista area and on over to the Douglas area at the Arizona border, as well as in Phoenix. We have held a hearing in Las Cruces in the New Mexico sector. We have held multiple hearings in El Paso. We have been down to McAllen and Laredo on the Texas border, as well as hearings on the north border.

I have spent a lot of time on the border. Earlier this year, not that many weeks ago, myself and Nick Coleman and David Thomasson and Mark Wiede and Tracy Jackson from my staff spent 4 days on the southwest border working on a number of these issues.

It is easy to confuse immigration questions and terrorist questions and narcotics questions when you get to the border because they are the same people. If you cannot stop an illegal immigrant, you cannot stop a drug dealer. And if you cannot stop a drug dealer, you sure cannot stop a terrorist. We have all three elements moving through. Now, they are not all the same people. I would argue that out of the million people coming in, somewhere around 900,000 are coming to a job. And we have to figure out how to get them separated.

Now, I have heard people say, and I support, getting 2,000 Border Patrol, and the administration is only talking 400 or something like that. But we could not stop it if there were 20,000 Border Patrol. And if we have got them all on the land border, they are going to move, because we cannot even see right now planes coming in and boats coming in the whole Caribbean Basin because we do not have any aerostats up and we are blind. They can get across multiple ways. They can come around Canada. We cannot put a person from the Border Patrol or the military, the Guard, every few feet. So we have to figure out a realistic way to separate those who have a job who are coming into the United States from those that are illegal.

Furthermore, let me give some astounding statistics, and I am not going to be too particular here, because I do not want to encourage people. But let us just say, hypothetically, there are some border crossings right now where if you come across into the United States, because we have heard a lot the last couple of weeks about the Arizona border and how people are moving across the Arizona border and we do not have a fence there and that is the big transit point. First off, let me say, clearly, for the record, I do not believe most people are coming through in between the border crossings. I believe most people are coming through the border crossings.

Secondly, I am not absolutely convinced that they are mostly coming through Arizona. I think Texas has a bigger border, and probably more are coming through Texas than Arizona. But Arizona has a problem that has been growing exponentially. That, nobody disagrees with. And to some degree between the border ports of entry California is more controlled because of the fence. So Arizona has the newest part of the problem and the most dramatic part of the problem right now.

But let us talk about what is happening at this border. If somebody comes across the border and we decide we are going to put them in jail, hypothetically, the question is where would you put them? We do not have jails for a million people. The net result of this is that the Federal Government in some places does not even take a case unless, and this is on the record, I am not disclosing this, they do not even take a case unless it is 700 pounds of marijuana. Now, think about the bust in your district. You are talking one pound, ounces. We have people in jail long term over ounces, and they will not take a case over 700 pounds. Sometimes, at the local level, they do not take 200 pounds.

Let me put this in colloquial expression, as I said: You do not arrest somebody if they are carrying 150 pounds across the border? They said, Mr. SOUDER, our jails are full. We cannot even put local criminals in prison because we have so many people running drugs to Indiana, running drugs to Illinois, running drugs to Ohio, running drugs to Michigan, running drugs to New York through our town. We cannot even control the law enforcement problems in our town because of your addictions in the Midwest and the East and across the South because they are running through our area. Unless you are going to build our prisons, we do not have anyplace to put them.

So now we are not just talking about a guy who is walking up to a job in an RV plant in Indiana, we are talking about we are not even locking up drug dealers because we do not have anywhere to put them. So now let us get back to this person, like this one person who was picketed up in Arizona. They stopped him and said, you are coming in illegally. He said why did

you stop me? I have been doing this twice a year for 8 years.

Not only do we not have control of the border, we do not have hardly any control over the border. At one crossing we were told during a committee hearing that as long as you do not have another crime, other than entering the United States illegally, that you could cross 17 times before they detained you overnight. Now, 17 times before they detain you overnight.

Now, the latest is at that border crossing and the other major border crossings the number of times you can cross before they detain you overnight is forever. We do not have anyplace to put people. There is no current principle that says you will ever detain. In fact, when we were at San Ysidro, a van had a couple of large individuals concealed on the top. They were from Brazil. Basically, they had not committed other crimes so their penalty was we paid their way back to Brazil. The taxpayers got the penalty, not the individuals.

Now, back in Brazil they may have purchased a package, which is also public record, I am not disclosing anything tonight, the packages are for sale in Mexico from \$8,000 to \$12,000 for Central America, from \$12,000 to \$16,000 or \$12,000 to \$18,000 for Middle Easterners, 30,000, basically, that in 7 days you will get into the United States or you will get your money back.

So if these people from Brazil bought a travel package for the United States, they get their overnight, they get their food, and they are guaranteed they will get in. So if we fly them back to Brazil, they will be on a plane back, as part of their money-back guarantee, and they will be back in the United States. Of course, if they get caught again, the penalty again will be to send them back to Brazil and it will take a couple more days for them to get back.

Another individual we saw there at the border had a fake ID. They said, look, her face does not match up. And she was really nonplussed because she knew what her penalty was going to be. After we got done examining her stuff, after we spent hundreds of thousands of dollars checking her out, she knew she was going to go back across and a little later that night or some time later she would come back across again.

Now, the fundamental question is: If most people who are illegal are coming across the legal border crossings, then why are they running through the desert? I have been asking that question, too: Why are they running through the desert? Do they not know there is no penalty for crossing at our major crossings, other than having been inconvenienced? It can be a problem theoretically, if we ever change our laws, because they will be in our system 17 times, but right now there is no real penalty.

□ 2000

Some of it is an inconvenience to the coyotes. The coyotes are the people

who are like a travel agent. They do the bookings. They give a guarantee. Obviously, if they can get you through the first or second time into the United States, it is cheaper for them. They do not have to pay extra meals or overnight. They want to keep you together and get you through the first time. That apparently has become a problem going through the main border crossings because if you bring across a group of 20 people and two of them get caught, it is inconvenient. You are bringing 20, and there are only 18 that get through. Plus, you gave a money-back guarantee. So they like to move through the desert areas and the areas between the border crossings for their convenience because occasionally our disruption is an inconvenience. It is not like they are going to go to jail. It is just an inconvenience.

The other thing is we are systematically, and some of the things this Congress needs to look at, the penalty for being a coyote is 2 years. Prosecutors are overwhelmed. They cannot take people with 700 pounds of marijuana, how can they take a coyote, and for a 2-year penalty, probably getting suspended after 6 months, what is the point.

We ought to have tougher penalties not on the immigrants who are crossing, but for the people who are organizing these huge systems, and that penalty ought to be more than 2 years. I am not going to talk much about the people on the border who are patriots and the Minutemen. They are frustrated, people running through the ranches. You are a rancher and you see a couple of people coming across. You want them gathered. To come and get them means we may be leaving 100 people in another location. But it is your ranch, and you are upset. I understand that. We need to get better control. But as a practical matter, you may be stopping and it very well may be that the Minutemen did more to bring drugs into the United States and more of these operations in because they diverted our resources over to picking off here and there, and may have, this is a classic of are we running a picket fence on the border or a backstop way to see how the networks are going. It is not dissimilar to other major drug issues.

Are we taking down an individual user on the street, or are we trying to turn him into who is selling him, and who is selling him, and who is selling him. And by the way, how did it get across the border? Who did you corrupt? What border guards did you buy? They are corrupting people in our own embassies and military. Who are you buying?

If we figure out those things, we do not have to bust the little people who usually wind up bearing the brunt of this. We have to get to the systems. If you take down the people at the border, we cannot figure out, because Customs historically and the border patrol used to bang at this before they were both at DHS. Now they bang inter-

nally, because the picket fence wants to stop everybody.

Customs want to let some through so we can see where is the van behind them; where are they working; who is paying their way and getting them to the border. Furthermore, there is probably a good chance they are financing this with narcotics. How do we stop the deaths in the United States from narcotics use if we are stopping them at the border and we cannot figure out the patterns?

Let me tell you about another pattern. We hear a lot about identity theft in the United States. A friend tried to get a credit card and found out four other people had her Social Security number. The good news is she had four times as much money in her Social Security account. They did not steal her Social Security number because they wanted to use her credit cards. But she had to go through all kinds of things with her birth certificate and everything else to prove that was actually her Social Security number.

Much of the identity theft in the United States is because employers, and there has been a lot of discussion on this, employers cannot discriminate. If you show them a Social Security number and a card with your picture on it, they cannot question a Hispanic or anybody else of any other background about how they got it unless there is reasonable suspicion that it was doctored. That is because otherwise this can become very quickly a very racially biased harassment thing by employers against minorities. I understand that.

So employers' hands are tied. If somebody gives them a document that looks legal, they cannot pursue it; and we are unlikely to change that law because I believe there would be racial discrimination expanded if we changed that.

So we have to get to the altered documents. In my district, two green card manufacturers' places have been taken down. In another county, a third green card manufacturing place was taken down. If we have 900,000 illegals in the United States in the workplace, that means that the bulk of those have illegal cards with somebody's Social Security number on them.

Unless we get an immigration strategy that works here, we have the motive, whether it is deliberate to steal your credit card and get your Social Security number or whether it is just random that they hit your Social Security number, we are having identities stolen because we are not dealing with the legal immigration questions and the border questions.

At the border as we move through, for example, one of the side things that is happening here is it is even hitting our national parks because, much like I said in Colombia, if you start to seal off some portions and build fences, they are going to go through places where you do not have fences. So at Organ Pipe National Monument they

shot a ranger going through. There are very few trails that are safe to hike in Organ Pipe anymore. One of the best hiking trails in the United States is closed because it is not safe. You do not know who is packing guns or selling dope. You go through the washes, and we have hidden and disguised in sagebrush strips because they have started taking their SUVs through the washes and the stream beds. We talk about trying to preserve nature, they are tearing up the parks with this stuff. We pop the tires, and then they abandon the vehicles.

When I was walking the border with the superintendent with people from the Federal Government, people were crouched waiting to come across. The strangest case in Organ Pipe, we had a barb wire fence at the border crossing, and you can see they just cut the fence. Every time we fix the fence, they cut the fence. There is no effective control, especially if they just come back the next day.

But in one section, there is no fence and it is over in land in Mexico, and it is intact. I said, What is the deal with that? They said, Well, the Mexican farmer there stole the fence and moved it over to his property, but we did not move it back because that farmer is really protective of his fence, and they all have to go around.

Mr. Speaker, think about this a second. A Mexican farmer stole the American fence and put it around his farm, and he is more protective of the fence at his farm than we are of the border. Interesting in a strange way. But at least in that area we are controlled, in a bizarre way.

You also can see all sorts of empty milk cartons. If it is white, that means it was water. If it is black, that means it was drugs. You see drug scatter all over. In some cases it is pocket change. Other cases it will come over on old-fashioned mule trains.

We held a hearing in the Tohono O'odham Reservation. They have been screaming that they have been abandoned there. This was several years ago, maybe a year and a half. We were there. The previous year, 1,500 pounds of marijuana went through. In the previous 2 months, 1,500 pounds went through. The day we had the hearing with all of the Border Patrol cars, all of the Department of Homeland Security personnel, more Federal officials than they had seen in Tohono O'odham Reservation probably for a year and a half, at one place, they just decided they were going to start taking down some cases.

Guys coming out of the hearing would stop people. They picked up 300 pounds in one, 500 in another, 400 in another. Basically, by the time I got done with the hearing, they had picked up 1,700 pounds of marijuana running through the town of Sells. And later that afternoon, they sicked some Blackhawks on a group of seven SUVs. Basically, the front vehicle shot their way through even with all of the Cus-

toms and Border Patrol people chasing them. But they did get six of them and had another huge bust that evening.

The point being, it is so massive we do not even know how to deal with it. Until we work out a strategy to figure out how to get the legal people through, there is no way, whether that is work permit with citizenship, long term if they learn to speak English, renounce dual citizenship, multiple ways. Somehow we have to do this because we cannot do it. We are trying desperately to manage this. People can yell at the Customs and Border Patrol, and I believe they need to get rid of the division between the Border and Customs Patrol and ICE because it does not work. You cannot do the investigations. They have to be able to move back from the border and figure out how that network of people bring people in then go to the city. If we can find that out, we can find out who is providing people with green cards when they get into the van and who is making those green cards, who is stealing our Social Security numbers.

If we just look at here are the people standing on the border behind the big white fence, and here are the people investigating over here, and they are not interconnected, this is silly. We need to tackle this in the Department of Homeland Security and in the reorganization. Some people are concerned about having the deportation changed. Other people do not want deportation there. This is a silly division. It is not working, and we have to get this addressed.

As we tackle this and as we move forward and get Department of Homeland Security more organized and work with an immigration strategy, then we can start to get control of the narcotics strategy. Remember this, 24,000 people a year, that is the last figure we have from 2003, die of illegal narcotics. Slightly over 3,000 died at the World Trade Center. So since 9/11, we have had 24,000 a year die of narcotics. If we divert funds from Border Patrol Agents looking for the potential terrorists all of the time and forget that thousands, more than 20,000 people, are dying of narcotics, we have focused wrong. We have to watch the terrorists.

Plus, as we have talked and I have met in Europe and in the United States with the Swiss bankers, as we have talked with other countries where they historically have been able to hide money, as we shut down certain foundations where they have been laundering money, where are they going to go? To narcotics, to human trafficking, and to some degree to diamonds and other sorts of commodities that they can do illegally. But the number one places are narcotics and human trafficking.

We are seeing these different terrorist groups around the world interconnect. As we drive them underground, and as we clean up legitimate banks, as we clean up legitimate places, they go to the harder-to-find places. And the same people, to take

Afghanistan, for example, what do you think is paying for the weapons that killed our soldiers the other week? Do Members think it was, say, minicomputers? Was it Afghanistan, the great producer of SUVs? Was it the bread basket of Afghanistan producing soybeans? No. They used to produce food stuff for the entire world. Now Afghanistan produces heroin for the entire world.

As the exiled King told us twice before he went back, and once over there, we were the bread basket of Europe. But we have been told that we do not want to eradicate their livelihood because we need to find alternative development.

The question is do we go to the city of Fort Wayne and tell these kids on the street corner, you are making \$600 as a lookout, and we are not going to tell you we are going to throw you in jail until we find you a job that pays you \$600 an hour? That is ridiculous.

We say we are going to lock you up and you should get a legitimate job that pays minimum wage, and you learn skills and move up. It is the same thing we faced in Colombia. There is no amount of palm heart in Colombia that is going to make as much as growing cocaine. So unless you think your cocaine crop is going to get eradicated, unless you think your heroin crop is going to get eradicated, and we do that multiple times a year and we are persistent, then you say, hey, what about the palm heart and what about the soybeans because I can feed my family and live on this, but I cannot make it if it is heroin. I cannot make it if I do not grow something; and if you are going to eradicate the heroin, I have to grow something legitimate.

□ 2015

In Afghanistan, there has been a reluctance. Look, it is not a stable country. Nobody successfully ever really governed Afghanistan. So it is a challenge. We say we have free elections in Afghanistan. When we had free elections, the question was, were you free to oppose your local drug lord? The answer is in about 20 percent of the country. That is better than it was ever before in Afghanistan. At least people lined up to vote the way their local drug lord wanted them to vote. But that is not our traditional American way of democracy. I do not mean to demean it. I believe President Karzai is working at it.

But let us be real here. We have just seen the largest production of heroin out of Afghanistan out of anyplace in the world under our watch. We criticize the Taliban. The 3 years of the Taliban together do not equal what Afghanistan produced in heroin under our watch. We cannot sit here and twiddle our thumbs and pretend like this is not going to be a problem. Members of Congress are going to go over on CODELS and they are going to show us great progress. They do not have to grow any heroin for the next 2 or 3 years. They

have the biggest load in history. The Taliban said in their last year in power that they were going to grow zero amount of heroin poppy. To the best of our knowledge, they grew zero amount of heroin poppy. Why? They had such a stockpile with a fraction of what they have now, they did not have to grow any because if they grew it, there was no market. They have got it wholesaled and stockpiled. What is happening is if we do not get those stockpiles, we can have all the CODELS go over Congress that we want. They will come back here, they will go on Fox, they will go on CNN and say, the Afghans are doing a great job of eradicating the poppy. It is irrelevant. The biggest amount, 4 years' worth of the world's supply has been grown this year and is being processed. We have to figure out where it is, take out the wholesale methods because what we are already seeing is, and our administration is starting to awaken and starting to go after this and the military is starting to grant this, but because we did not eradicate it a few months ago, it is now starting to move and it is into the countries around it so in our appropriations request, we have moneys in it to try to get it as it is moving and we are going to spend more money chasing this stuff than if we had tackled it a few months ago while we were asleep.

Now, we can never let this happen again and we need to work with the president of Afghanistan but it needs to be clear, you cannot be a narco-state. The people that are shooting at us, the people who are crossing over into Iran, the people that then move down into Iraq, where are they getting their money for their guns? This is not a hard thing. They are not growing other things. They are not doing other things. Every pistol, every RPG pretty much is funded by narcotics. This is going to become more and more the case as we move around, more human trafficking which leads us back to both problems on the southwest border.

Let me just go through one other aspect of the budget, because the budget has lots of good things in it in drug treatment. They have some good things in it with drug courts. They are sustaining the national ad campaign. But I have a deep fundamental concern. The ranking Democrat on our subcommittee the gentleman from Maryland (Mr. CUMMINGS) and I have done multiple letters to Members of Congress over the past few weeks, Dear Colleagues, from police chiefs. This is not a question about cutting drug dollars. This is a systematic, philosophical change of this administration in how they want to approach narcotics. What they have done are the following pieces. As I described at the beginning, there is a prevention component, an international component, a law enforcement component and a drug treatment. On drug treatment, they are fine. In international, they are fine. On the law enforcement and prevention, this budget is a disaster.

Let me give you first the prevention strategy. They have none. Their prevention strategy is this. These parts are fine: run national ads, do drug testing in the school, and have a flat-funded community coalitions and only the national part of the drug-free schools. What they have eliminated in the prevention program is the safe and drug-free schools program which is the program that drives directly down to the schools. They are only saving the national ones where Washington gets to make the decision which schools it goes to. The national ad campaign is basically flat-funded. The community drug coalitions are flat-funded. There is no coordinated vision of a prevention strategy. The biggest single component, bigger than the other components combined, is safe and drug-free schools and they zero out the local and State part.

That sets the tone for what is coming next, either flat-funding or zeroing out State and local. Then we get to law enforcement. Incredibly, there is no other way to say it but incredibly, they propose in effect to gut the HIDTA program by transferring it to OCADEF and then to eliminate and zero out Byrne grants which funds in many cases the drug task forces. They are then proposing, also, to cut back the dollars that go for equipment for local drug task forces, CTAC, and that when you put this together, along with a whole series of other smaller things that they are doing, let me describe briefly what the high intensity drug trafficking thing was and the philosophy and why we created a drug czar's office, because there are really two components to this. We created a drug czar's office in the United States because what happens to the FBI, what happens to the Department of Homeland Security, what happens to lots of different agencies is they are fair weather friends on the drug war. Their primary mission is not narcotics. The FBI's primary responsibility is organized crime. The FBI deals with multiple issues. Many times that is narcotics. But when other things arise, they are diverted. They are not fair weather friends in the sense of philosophically. They are fair weather friends that if the Attorney General says, boy, we have this problem over here, church burnings over here, missing children over here, national security interests over here, we have this problem of stolen patents over here, the FBI runs to those issues. They are not like the DEA. They do not have narcotics as their main enforcement. The Department of Homeland Security has so many missions, the Coast Guard alone can have their head spinning. They are supposed to protect a Great Lakes nuclear power plant, but if a sailboat tips over, they are supposed to run out there and also catch any fishermen. So they have a homeland security thing, a search and rescue which is still mostly what they do, and a fisheries component. And, by the way,

catch any narcotics that are on the water. So they are running around. Narcotics is one of their missions but not their primary mission. The question was, we needed an office in the United States, a Cabinet level, that says drugs are my mission.

Inside the Department of Homeland Security we created a counternarcotics office because we need somebody in that agency who stands there with some staff, that is his staff, not detailees like is currently the case and unfortunately still the case with our bill today, who can sit at the table and say, hey, guys, don't forget about narcotics. Remember, homeland security is related to narcotics. With Mr. BONNER and others, we have the former head of the DEA, but we are not going to have that all the time at the office of Customs and Border Patrol. We have to have a systematic way that narcotics are built into the Department of Homeland Security and that we have a drug czar, a director of ONDCP, who focuses on the drug issue.

The HIDTA program was set up as a 50-50 vote. What we said is, let's send \$2 million, \$3 million to the city of Chicago. Then maybe the City of Chicago will have their local law enforcement people come in and we will get a unified center to pool our resources. So, for example, we stop these embarrassments like one where the distinguished junior Senator from New York, when she was the First Lady, was going shopping and they were about to do a drug deal where she was going in and potentially have a shootout, only the Secret Service was not integrated until we had HIDTA with how to share the information. Or many of us have heard stories about the FBI arresting the DEA because they did not deconflict, or national law enforcement arresting local law enforcement people after doing a 6-month case with thousands of dollars, finding out that the person that were selling and the person that were buying were both working for the government. So we run deconfliction centers. We have attracted local law enforcement in to coordinate. Because we said, look, if you come in here, we are a 50-50 partnership. We are going to set up these in the highest risk areas of the United States, along the southwest border, in the big cities. In New York City, we have consolidated homeland security and narcotics and we have a tremendous HIDTA that is regional across into New Jersey and Connecticut and New York and this budget would bust it up. It would just end it.

The police chief from Phoenix could not have said it more clearly at our hearing. He said, my mayor told me in city council that I have to cut my budget in the city of Phoenix for police. I have three people over at the high intensity drug trafficking area, the HIDTA. I realize they are doing the arresting. They are critical to our anti-narcotics efforts and our crime efforts. I asked him what they want in the city of Phoenix. He said, go after murder,

drugs and gangs. He said, they are all three the same thing. They are drugs. Eighty-five percent of the murders, all the gangs, they are all narcotics. So we kept the three people in the HIDTA and I cut other people. But let me tell you, you transfer this to OCADEF or another agency from HIDTA, they are gone. We had a cooperation agreement with the United States. The Justice Department says about OCADEF, which is a wonderful agency and has a function, but it is Washington-run. It does not have a 50-50. I asked them about that. They would not guarantee that. They do not have a plan. They do not know why. They do not have any evidence that the HDTAs are not working. In fact, we have a 5 percent reduction in drug use around the United States. All these things are working reasonably well. They cannot list one single HIDTA that they want to get rid of. What they want is control of the funds and HIDTA does not give them control of the funds because the HDTAs have, in Chicago I think it is \$30 million invested from State and local and \$3 million from the Federal. That is a wonderful deal, if we could leverage \$3 million and get \$30 million and we are seeing this in market after market.

So what does the administration propose to do it? Gut it. Then the Byrne grants are there. That is a complete zero out. My drug task force in my district does not exist without a Byrne grant. That is what keeps it there. That is what has kept it there for the last 10 years. Every year they have to spend a limited amount of coming in here saying, please deal with the Byrne grants because we keep proposing it. Every year we put the Byrne grants down. This is the year to say, Look, we're not going to change this program. Stop proposing it. We're not going to change. But this year because they are doing Byrne grants simultaneously with the HIDTA changes, simultaneously with nationalizing the drug-free schools programs, simultaneously reducing the money going to State and local law enforcement for equipment, what you see is a national strategy that I never thought I would see out of my party, which is Washington knows best because you guys at the local level just don't cooperate right.

And then they are eliminating the meth hotspots program. This is a program that is not authorized, that is not developed. So how did it get to be \$35 million last year? I was told, well, these are earmarks and we don't like earmarks. Welcome to the real world. Congress does earmarks. I have been suggesting to them for several years, maybe, if it is a growing program and \$35 million is now coming through in earmarks, you ought to come up with a meth strategy, because maybe Congress is going to pass it again. My prediction is that meth hot spots will still be there because the number one thing of anybody who has a district with

meth is, I have got to go after this meth and I am going to go into the appropriations bill and I am going to earmark it because if the drug czar does not deal with it, if the Attorney General does not deal with it, if DHS does not deal with it, then I have to deal with it because nobody else has a strategy to deal with meth in my district. So the idea that they are going to zero out meth hot spots is a tad too cute for the budget. We are not going to eliminate the meth hot spots program. We have to figure out how to run a better antimeth program. We have to figure out if there are problems and making the HDTAs more integrated with the national strategy and work with it. But democratic government and empowerment suggests that if you have got in the United States right now, every single police chief, every single anti-narcotics officer, we have checked, the head of the National Narcotics Officers Association has said, he does not know one person who is for the President's budget with this and he does not even know one narcotics officer in America who was asked.

At our hearing on this, the head of the National Narcotics Officers Association said this. The head of the Speaker's home HIDTA in Chicago said he had not been asked. A sheriff who heads the meth HIDTA in Missouri, who was recommended to us by our Republican whip, said he had not been asked. The head of the Baltimore-Washington HIDTA for this area said he was never asked. The vice chairman of the southwest border HIDTA, the police chief in Phoenix, said he had never been asked. If you do not talk to the southwest border, if you do not talk to the leadership's home HDTAs, if you do not talk to a single narcotics officer in the United States, how do you have the gall to send us a budget to nationalize this?

It is really important that fellow Members of Congress send a clear message. We believe in State and local law enforcement cooperation with the Federal Government and that our antidrug efforts are working. We need a resounding vote for the success of this program and continue to improve it.

EDUCATION

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, today is May 17, 2005. On May 17, 1954, the United States Supreme Court issued a decision in the Brown v. Board of Education of Topeka, Kansas case. Last year we celebrated the 50th anniversary of this landmark case. I expect to be joined by some colleagues of mine from the Congressional Black Caucus tonight to again take advantage of this anniversary, the 51st anniversary, to highlight problems related to education. Not only education as related

to the African-American community, to minority communities or to poor communities but education in general needs more attention in America. Whatever activities there are that allow us to focus attention on education, they are very noble and worthwhile activities with a very useful purpose.

□ 2030

We need to spend more time focusing on the role that education plays in our society, and this is just one more occasion where we can do that.

I want to congratulate the people who participated last year in the 50th anniversary celebration. We had a marvelous array of people who joined in highlighting that landmark case's 50th anniversary: corporations, foundations, all kinds of groups participated in highlighting that landmark decision. I want to particularly congratulate the Library of Congress, which had an exhibit which ran from May 13 to November 13 last year, 2004, which was entitled, "With an Even Hand: Brown v. the Board At Fifty." It was a fantastic exhibit which laid out the story in great detail, a lot of inspirational background and facts.

On May 17, 1954, the decision was issued declaring that separate education for children is inherently unequal. The Court held that school segregation violated the equal protection and due process clauses of the fourteenth amendment. African American activists laid the groundwork to challenge the racial segregation in public education as early as 1849 in a case called the case of Roberts v. the City of Boston, Massachusetts. The Brown case was initiated later and organized by the National Association For the Advancement of Colored People, the NAACP, recruiting African American parents in Topeka, Kansas, for a class action suit against the local board of education. In 1952, Brown v. The Board was brought before the Supreme Court as a combination of five cases from various parts of the country; it was not just Brown, but four other cases altogether; and they represented nearly 200 plaintiffs at that time.

The NAACP, through Brown, sought to end the practice of "separate but equal" throughout every segment of our society. It was to be a landmark decision. From education we went on to transportation, dining facilities, public schools, and all forms of public accommodation. So it was a decision that benefited us across the board, and I think we ought to take a moment to note the fact that it brought to all of us, brought to the attention of all of us the role of the Federal Government in education. It highlighted the fact that there is a major role that the Federal Government has to play in education. The Federal Government has always shown an interest in education. There are examples which I will talk about later of early, very early actions taken